

### **Remarks**

Claims 1-41 are pending in the application. Claims 33-36 have been objected to as containing informalities. Claims 1-41 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Von Kohorn. In view of the following remarks, reconsideration and withdrawal of these grounds of rejection is requested.

### **Examiner Interview**

The Applicant sincerely thanks Examiner Myhre for the courtesy of the Interview conducted on September 11, 2003. During this Interview, Applicant's representatives (Taufer & Gambino) discussed the merits of the rejection under Von Kohorn with the Examiner. Applicant's representatives could not reach agreement with the Examiner with regard to the teachings of Von Kohorn as they relate to claim 1. In effort to address the Examiner's concerns with respect to the Von Kohorn reference, and place the present application in condition for allowance, the present Amendment has been filed.

### **§ 103 Rejections**

Claims 1-41 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Von Kohorn (U.S. Pat. No. 5,916,024). For the reasons set forth below, reconsideration and withdrawal of this ground of rejection is respectfully requested.

An embodiment of the present invention comprises a method for advertising on a computer network. The method comprises integrating an interactive computer game with advertising images. In order to play the interactive computer game, users must also interact with the advertising information, but are not redirected to a different website containing the advertiser's information. An advantage of this type of combined game/advertising information format is that users are not required to parse an advertiser's website for advertising information, the advertising information is supplied to the user as part of the game.

Von Kohorn teaches, in one exemplary embodiment, a system and method of playing games and rewarding successful players which includes a central station 202, and a remote receiving station 206 including a response unit 210 (See Fig. 6). The response unit 210 includes a keyboard 356 for accepting input from a user stationed at the receiving station 206 (See Fig. 8).

In operation, a host 212 stationed at the central station 202 presents a 'task' to the user

stationed at the receiving station 206 by means of audio (from microphone 230) and video (from camera 228) signals transmitted from the central station to the receiving station (see, col. 36, lines 28-58). The audio and video signals are displayed to the user at the receiving station 206 through speaker 270 and video monitor 208, respectively. After the task has been presented, the host 212 initiates a timer (beginning a response period) by depressing a key on a keyboard 226 at the central station 202 (see, col. 41, lines 50-54). During the response period, the user at the receiving station 206 may enter response to the task. For example, if the task is a series of questions, the user may enter responses using the response unit 210 (see, col. 41, lines 61-66). The answers to the questions are sent from the central station 202 and loaded into the memory 332 of the response unit 210 (see, col. 41, lines 61-66). If the user at the receiving station 206 enters the correct responses, a dispenser 360 of the response unit prints reward certificates (see, col. 41, lines 14-26).

An alternate version of the response unit 210 is also described with reference to Figures 25 and 26 (see, col. 78, line 47 to col. 79, line 61). In the alternate version, a response unit 800 includes a selector switch 802 which permits a user to select an 'area of interest'. The central station 202 transmits a television program and several sets of answers (corresponding to each the 'areas of interest') to the response unit 800 (see, col. 78, line 47 to col. 79, line 5). The television program may comprise a game show for selling consumer products (see, col. 79, lines 30-45). The user selects an area of interest (e.g., product) using the selector switch and is presented with the questions corresponding to his or her selection. If the user answers a specified number of questions correctly, a dispenser 390 prints out a reward certificate (e.g., coupon).

Claim 1 now recites:

A method of advertising on a computer network comprising:  
presenting at least one initial advertising image or message, said at least one initial advertising image or message resident on a server computer and relating to a specific product or service; prompting at least one player to access the at least one initial advertising image or message as a prerequisite to playing an interactive game, said at least one player accessing the at least one initial advertising image or message by selecting an icon or link on a screen of a client computer coupled to the server computer; presenting an interactive game to the at least one player via the computer network, said interactive game including at least one additional advertising image or message related to the specific product or service, said one or more players being stationed at client computers coupled to

the server computer over the computer network. [emphasis added]

Thus, claim 1 requires a method of advertising over a “computer network” wherein a user must access an “initial advertising image or message” related to a “specific product or service” as a “prerequisite” to playing an “interactive game including at least one additional advertising image or message” which is also related the specific product or service.

Von Kohorn fails to disclose or suggest a method of advertising on a computer network wherein user is presented with an “initial advertising image or message” related to a product or service and then “additional advertising image[s] or message[s]” in the form of an interactive game if a user selects to interact with the “initial advertising image or message”, as recited in independent claim 1.

The Examiner points out at page 3 of the present Office Action that “Since the product is selected prior to the user beginning to play the interactive game”, the step of “presenting at least one initial advertising image or message” in claim 1 is met by Von Kohorn. Although the Applicant disputes this point, it is clear that Von Kohorn does not disclose or suggest an “interactive game including at least one additional advertising image or message”

First of all, the game described by Von Kohorn with reference to Figures 6 and 8 is not “interactive” as that term is defined in the specification of the present application. Initially, it should be noted that the questions which comprise the game discussed by Von Kohorn are presented by a human host 212 to a human user stationed at a response unit 800 over a wireless network. Without the human host 212 to present the questions and start the timer, the game would not proceed. The fact that the questions and answers are transmitted over a wireless network does not make the game “interactive”, or “via [a] computer network”. The system described by Von Kohorn is akin to two people in different locations using walkie-talkies to conduct a question and answer session while one watches a live television broadcast of the other. The system described by Von Kohorn is certainly not a “computer network” and the game is not “interactive.” The Examiner will note that the Applicant has significantly amended claim 1 to highlight the interactive ‘client-server’ aspects of the present invention.

Additionally, the questions presented by the host 212 in Von Kohorn do not comprise “at least one advertising image or message” as that term is defined in the specification of the present application. Von Kohorn nowhere discloses or suggests that the questions of the quiz game are

related to, or about, the consumer product (emphasis added). Von Kohorn only discloses:

The respondent plays the role of a contestant in the game or quiz program, and also acts as a shopper for merchandise presented in the program. By use of the selector switch 802, the shopper selects the area of interest having the product of interest. The shopper then plays the game or quiz program in earnest to receive a coupon which facilitates purchase of the product...

Since the questions of the Von Kohorn quiz game are unrelated to the product selected by the player, they cannot comprise "at least one additional advertising image or message", as required by claim 1.

Further, additional language has been added to claim 1 which further defines the present invention over Von Kohorn. As discussed above, Von Kohorn describes a system with a television transmitter and receiver; Von Kohorn does not disclose or suggest a computer based 'client-server' system. In accordance with the above, claim 1 has been amended to recite "said at least one initial advertising image or message resident on a server computer and relating to a specific product or service", "selecting an icon or link on a screen of a client computer coupled to the server computer", and "at least one additional advertising image or message related to the specific product or service." The Applicant believes that these amendments take claim 1 completely outside the scope of Von Kohorn. Therefore, reconsideration and withdrawal of this ground of rejection with respect to claims 1-7 is respectfully requested.

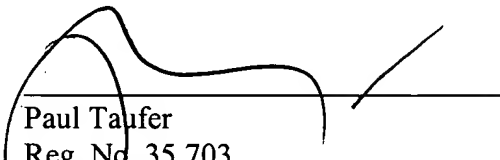
Independent claims 8, 18, 25 and 32 all contain limitations similar to those discussed above with respect to independent claim 1. In particular, all of these claims contain limitations which require a user to access an initial advertising image related to a specific product or service before being permitted to play the interactive game related to the product or service. Therefore, for at least those reasons discussed above with respect to claim 1, reconsideration and withdrawal of this ground of rejection with respect to claims 8-36 is respectfully requested.

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Summary

In view of the foregoing remarks, Applicants submit that this application is in condition for allowance at an early date, which action is earnestly solicited.

Respectfully submitted,



Paul Tafer  
Reg. No. 35,703  
Darius C. Gambino  
Reg. No. 41,472

(215)-656-3385